

REMARKS

The present application has been reviewed in light of the Office Action dated April 4, 2008. Claims 1-4 and 6-20 are presented for examination, of which Claim 1 is in independent form. Claims 1, 3, 4, 6-10, 12, 13, 15-17 and 20 has been amended to define Applicants' invention more clearly. Claim 5 has been canceled without prejudice or disclaimer of the subject matter therein. Favorable reconsideration is respectfully requested.

Claims 1, 10 and 12 were provisionally rejected under the judicially-created doctrine of obviousness-type double patenting, as being unpatentable over Claims 1-4 of U.S. Patent Appln. No. 10/628,731, of which the present application is a descendant. Applicants note that the claims of that co-pending application have not yet been allowed, and thus no further response to this rejection is required at present.

The Office Action states that Claims 1-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,910,987 (*Ginter*). Applicants submit that independent Claim 1, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is directed to a method for facilitating the allocation of technology resource billings incurred by a user and/or a group. Notable features of Claim 1 include receiving a business model file corresponding to an internal structure and which includes at least one application profile identifying a technology resource associated with the user and/or group and an allocation definition associated with the technology resource for allocating a usage of the technology resource to the user and/or group. A usage of a technology resource and/or a technology resource billing are apportioned to the user and/or group according to the allocation definition in the business model file and costs incurred by

respective portions of a technology resource billing are allocated based on the allocation definition.

Ginter, as understood by Applicants, relates to systems and methods for secure transaction management and electronic rights protection. In *Ginter*, virtual distribution environments (VDEs) help to ensure that information is accessed and used only in authorized ways, and maintain the integrity, availability and/or confidentiality of the information. The VDEs secure, administer and audit electronic information use.

Nothing has been found in *Ginter* that is believed to teach or suggest the “receiving”, “apportioning” and “allocating” features of Claim 1. At best, *Ginter* provides for monitoring of access to electronic information for billing purposes, which Applicants submit is in stark contrast to the method of Claim 1. Accordingly, Applicants submit that Claim 1 is not anticipated by *Ginter*, and respectfully request withdrawal of the rejection under 35 U.S.C. §102(b).

The other rejected claims in this application depend from the independent claim discussed above and, therefore, are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested.

Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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